

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:14-CR-49-1H

UNITED STATES OF AMERICA,

v.

DAQUAN DEMARD NICHOLSON,
Defendant.

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ORDER

On April 26, 2017, the court received a motion to obtain free copies of documents filed by Daquan Demard Nicholson [DE #36]. Defendant alleges he has no funds and requests that the court send him indigent forms. He states that needs documents to review his case.

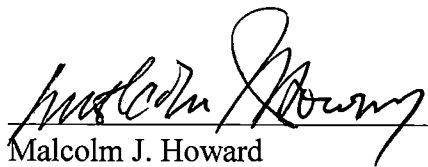
The docket sheet in this action shows that on January 13, 2015, defendant was sentenced to a term of imprisonment by the court. He did not file an appeal from the judgment of conviction and sentence. The docket indicates that there are no other pending appeals or motions for relief from the judgment.

Federal inmates are not entitled to documents and materials at government expense for collateral attacks on their convictions, absent some showing of a particularized need. United States v. MacCollum, 426 U.S. 317, 326-27 (1976); United States v. Gallo, 849 F.2d 607 (Table), 1988 WL 60934, at *1 (4th Cir. May 31, 1988) (“Copies of transcripts and court records may be provided to an indigent litigant at government expense upon a showing by the litigant of a particularized need.”). “An indigent is not entitled to free copies ‘merely to comb the record in the hope of discovering some flaw.’” Gallo, 1988 WL 60934 at *1 (quoting United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963)).

As the docket sheet indicates, there are no pending appeals or motions for post-conviction relief. Accordingly, there are no current proceedings before the court that require the requested

documents nor has defendant identified the reasons these documents should be furnished to him.
Consequently, his motion to obtain free copies [DE #35] is DENIED.

This 22nd day of May 2017.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
#26